CONNECTICUT LAW



Published in Accordance with General Statutes Section 51-216a

VOL. LXXXIII No. 10

JOURNAL

September 7, 2021

240 Pages

Table of Contents

CONNECTICUT REPORTS

Congressional elections; action brought pursuant to statute (§ 9-329a) by Republican Party candidates in primary election for office of United States representative for Connecticut's First and Second Congressional Districts, challenging as unconstitutional application for absentee ballot adding COVID-19 as reason for absentee voting; challenge to application for absentee ballot as based on erroneous interpretation of governor's executive order; whether plaintiffs, as candidates in primary election affected by executive order, were aggrieved by that order and therefore had standing; claim that action was untimely and therefore barred by equitable defense of laches; claim that executive order was unconstitutional because it violated article sixth, § 7, of Connecticut constitution; whether executive order violated separation of powers and was void as matter of law because article sixth, § 7, commits authority over absentee voting solely to General Assembly; whether "unable to appear because of sickness," as used in article sixth, § 7, encompasses specific disease or is limited to illness personally suffered by individual voter that renders him or her physically incapable of travelling to polling place. State v. Smith, 338 C 54	56
impact on his sentence. Volume 338 Cumulative Table of Cases	69
CONNECTICUT APPELLATE REPORTS	
De Almeida-Kennedy v. Kennedy, 207 CA 244. Dissolution of marriage; claim that trial court lacked proper basis on which to grant plaintiff's motion to dismiss; claim that trial court abused its discretion in staying enforcement of emergency ex parte custody order; claim that trial court improperly concluded that it did not have exclusive, continuing jurisdiction under applicable statute (§ 46b-115l (a) (1)); claim that trial court improperly dismissed certain of defendant's motions unrelated to issues of child custody or visitation; claim that trial court abused its discretion in deferring consideration of defendant's motion to modify his alimony, child support and visitation orders. Leconte v. Commissioner of Correction, 207 CA 306. Habeas corpus; whether habeas court properly concluded that petitioner's trial counsel rendered ineffective assistance by failing to investigate adequately and to present evidence that petitioner suffered from significant mental disease; claim that evidence regarding petitioner's mental health was necessary to effectively cross-examine and to discredit state's witnesses regarding his inculpatory statement to cellmate; claim that habeas court improperly concluded that petitioner did not demonstrate that his appellate counsel rendered ineffective assistance by failing to raise on direct appeal claim that trial court improperly granted state's motion for joinder of robbery cases.	36A 98A

 $(continued\ on\ next\ page)$

Malinowski v. Sikorsky Aircraft Corp., 207 CA 266	58A
Workers' compensation; whether Compensation Review Board properly affirmed Workers' Compensation Commissioner's award to plaintiff; claim that expert	
opinion was not expressed with reasonable degree of medical probability; claim	
that commissioner's causation finding was not supported by competent medical	
evidence; claim that commissioner improperly referred to plaintiff's work activi-	
ties beyond those referenced in medical records; whether board properly affirmed	
commissioner's denial of defendants' motion for articulation.	0.4
Noroton Heights Shopping Center, Inc. v. Phil's Grill, LLC, 207 CA 211	3A
Summary process; whether trial court's finding that defendant breached lease by	
violating terms of relocation clause was clearly erroneous; whether existence of	
substitute premises was condition precedent to plaintiff lessor's right to issue note of substitution to defendant lessee.	
State v. Paschal, 207 CA 328	120A
Attempt to commit assault of public safety personnel; whether trial court deprived	120A
defendant of his right to self-representation; whether trial court abused its discre-	
tion by admitting evidence of defendant's prior uncharged misconduct.	
State v. Small, 207 CA 349	141A
Motion to correct illegal sentence; whether trial court erred in denying defendant's	11111
request for appointment of counsel pursuant to State v. Francis (322 Conn. 247)	
to represent him on motion to correct illegal sentence; claim that defendant's right	
to counsel was violated because public defender did not consult with him regarding	
motion to correct illegal sentence or inform him or trial court of reasons underlying	
public defender's conclusion that no sound basis existed for motion.	
Wright v. Dzurenda, 207 CA 228	20A
Declaratory judgment; motion to dismiss; exhaustion of administrative remedies	
pursuant to federal statute (§ 42 U.S.C. § 1997e (a)); order of pleadings pursuant	
to relevant rule of practice (§ 10-60); claim that trial court erred in determining	
that plaintiff had failed to exhaust his administrative remedies; claim that trial	
court erred in considering defendant's special defense that plaintiff had failed to	
exhaust his administrative remedies because defendant had waived that defense.	
Volume 207 Cumulative Table of Cases	155A

CONNECTICUT LAW JOURNAL

(ISSN 87500973)

Published by the State of Connecticut in accordance with the provisions of General Statutes \S 51-216a.

Commission on Official Legal Publications Office of Production and Distribution 111 Phoenix Avenue, Enfield, Connecticut 06082-4453 Tel. (860) 741-3027, FAX (860) 745-2178 www.jud.ct.gov

Richard J. Hemenway, $Publications\ Director$

 $Published\ Weekly-Available\ at\ \underline{\text{https://www.jud.ct.gov/lawjournal}}$

Syllabuses and Indices of court opinions by Eric M. Levine, Reporter of Judicial Decisions Tel. (860) 757-2250

The deadline for material to be published in the Connecticut Law Journal is Wednesday at noon for publication on the Tuesday six days later. When a holiday falls within the six day period, the deadline will be noon on Tuesday.